

Library Board Appointments and Composition

This Trustee Essential covers:

- *Why citizen boards control public libraries in Wisconsin*
- *The legally required procedures for appointment of library board members*
- *The legally required composition of library boards*

In Wisconsin, as in most states, citizen boards govern public libraries. Citizen governance partially isolates the operation of the library from political pressure—an important concern especially in the development of your library’s collection and policies. Public library collections and policies have traditionally supported the ideals of freedom of expression and inquiry—free from any partisan or political pressures. Citizen control helps your library support these ideals. (For more information, see *Trustee Essential #22: Freedom of Expression and Inquiry*.)

Diversity of viewpoint and expertise

Another traditional public library ideal is that the library serves *all* members of the community equitably. A citizen board representing a cross section of the community should help your library do that. A library board composed of members with varying backgrounds and perspectives can contribute to the success of the library. For example, the school district administrator (or administrator’s designee) brings expertise in the field of education and often in the field of personnel management practice. A lawyer, a businessperson, a parent, an elected official, and many others, all have knowledge and experience that can contribute to effective library board decision-making.

It is appropriate for the library board to suggest potential appointees to fill upcoming vacancies on the library board. When developing lists of candidates for appointment, keep in mind the importance of having a board that is representative of the entire community and any special need for added expertise on the library board. See also *Trustee Essential #1: The Trustee Job Description* for additional qualities of a good library board member.

Statutory requirements

The appointment, composition, and terms of office for all types of library boards in Wisconsin (municipal, joint, county, and system) must be in accordance with Chapter 43 of the Wisconsin Statutes. To qualify for membership in a library system, your library must have a legally appointed and constituted library board that exercises the statutorily required duties and powers. (See also *Trustee Essential #2: Who Runs the Library* and *Trustee Essential #17: Membership in the Library System*.)

Municipal¹ library boards

The mayor, village president, town chair, or tribal chair makes appointments to a municipal public library board, with the approval of the municipal governing body, for three-year terms. Not more than two board members may reside outside of the municipality. Terms of office for library trustees begin on the date set by local ordinance (usually May 1) and are for three years unless the appointment is to fill an unexpired term. Special terms of office apply for a newly formed library (see Wisconsin Statutes Section 43.54(1)(b)), and when a city council has voted to reduce the size of the board under Section 43.54(3).

One of the members must be a school district administrator or the administrator's representative, to represent the public school district(s) in which the public library is located. The school district administrator or the administrator's designee must still be formally appointed for a three-year term by the mayor, village president, town chair, or tribal chair, with the approval of the municipal governing body.

Although the law does not require that a member of the municipal governing body be appointed, this is a frequent practice and one that often improves communication between the library board and the municipality. The law does, however, specify that at any one time not more than one member of the municipal governing body can be a member of the library board.

If a board member leaves office before the expiration of his or her term, the appointment to fill the position is made in the same way as other appointments, but the term of office is for the unexpired portion of the term (which will be less than three years).

If a county (or another municipality) provides financial support to your library, it may have the option of appointing members to your board. Wisconsin Statutes Section 43.60 (3) provides that whenever a county (or another municipality) appropriates funds for a municipal library equaling at least one-sixth of the amount appropriated by the establishing municipality, the county (or other municipality) may appoint a library board member to serve in addition to those appointed by the municipality. Two board members may be appointed when the county (or another municipality) appropriates at least one-third the amount that was appropriated by the establishing municipality. These appointments are *in addition* to the municipal appointments. So, for example, if your board has seven municipal appointments, and the county appoints one member under the provisions of Section 46.60(3), your board would have a total of eight members.

Village, Town, and Tribal Libraries

Library boards established by a village, town, tribal government or tribal association have either five or seven members appointed by the village president, town chair, or tribal chair, respectively, with the approval of the municipal governing body.

Fourth Class Cities

Library boards established by a Fourth Class City have seven members appointed by the mayor, with approval of the city council.

¹ For purposes of Wisconsin library law, tribal governments and tribal associations are considered "municipalities." Public libraries in a First Class City have special rules for the appointing authority and for library board composition (see Section 43.54(am)).

Second and Third Class Cities

Library boards established by a Second or Third Class City have nine members appointed by the mayor, with approval of the city council. However, the city council may, by a two-thirds vote, reduce the number appointed by the mayor to seven.

First Class Cities

Library boards established by a First Class City have special rules for appointing authority and library board composition (see Wisconsin Statutes Section 43.54(am)).

Joint library boards

A joint public library can be established by two or more municipalities or a county and one or more municipalities located in whole or in part in the county, by appropriate agreement of their governing bodies. The library board of a joint library has seven to eleven members, and the composition of the board must be representative of the participants in the joint library. The joint library agreement must spell out the number of representatives for each participant. The head of each participating governing body appoints board members. The rules discussed above regarding length of terms, unexpired terms, and school district representation also apply to joint library boards.

County library boards

In counties with a consolidated county library, the county board chair, with the approval of the county board, appoints a seven-member or nine-member county library board. In counties with a county library service, the county board chair, with the approval of the county board, appoints a seven-member county library board. Both types of county library boards must have at least one, but not more than two, county board members. In addition, the board must include at least one school district administrator (or that school district administrator's designee) of a school district located in whole or in part in the county.

The board of a county library *service* must also include representatives of municipal library boards of libraries in the county and also persons residing in municipalities not served by municipal libraries.

The same rules discussed above regarding length of terms and filling unexpired terms also apply to county library boards.

Federated public library system boards for a single-county library system

In a single-county library system, a seven-member board is appointed by the county executive or the county board chair (in counties without a county executive) and approved by the county board. Board terms are three years. At least three members of the system board, at the time of their appointment, shall be active voting members of library boards governing public libraries of participating municipalities, and at least one of these shall be a member of the library board governing the resource library. At least one but not more than two members of the county board shall be members of the system board at any one time. No current employee of a member public library may serve on the board. Board terms begin on January 1. If a board member leaves office before expiration of term, the appointment to fill the position is made in

the same way as other appointments, but the term of office is for the unexpired portion of the term (which will be less than three years).

Federated public library system boards for a multicounty library system

In a multicounty library system, the board has between 15 and 20 members. Members are nominated by the county executive or the county board chair (in counties without a county executive) in each county in the system and approved by each county board. Board terms are three years. Appointments must be as closely proportionate to the populations of the respective counties as practical, but each county shall be represented by at least one member on the system board. Each county board may appoint one county board member to the system board. At least one of the appointees shall be a member of the library board governing the resource library. No current employee of a member public library may be appointed to the board. Board terms begin on January 1. If a board member leaves office before the expiration of his or her term, the appointment to fill the position is made in the same way as other appointments, but the term of office is for the unexpired portion of the term (which will be less than three years).

The board may consist of more than 20 members if the county boards, acting jointly, determine that each county in the system shall be represented by at least two members on the system board.

Discussion Questions:

1. What are possible reasons why the statutes provide for a school district representative on the library board?
2. What are possible reasons why the statutes limit board membership to one elected official from the governing body?
3. What groups (demographic, occupational, etc.) are currently represented on the library board? When board positions become vacant, what community groups could be looked to for possible candidates?

Sources of Additional Information:

Your library system staff (see *Trustee Tool B: Library System Map and Contact Information*)

Division for Libraries, Technology, and Community Learning staff (see *Trustee Tool C* for contact information)

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